

Remarks

Claims 1-33 were pending in the Office action. Claims 1, 22, 23, 29, and 33 were amended. Claims 3 and 32 were cancelled. Claims 34-43 were added. The specification was amended to include examples of the invention that were provided in the Summary of the Invention Section. Support for this addition may be found at least at page 4, line 34 to page 5, line 7 and at claim 28. Reconsideration is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claim 3 was rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the rejection. In response, Applicants submit that claim 3 has been cancelled. Accordingly, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-6, 15-19, 21-23, and 29-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,101,477 to Hohle et al. This rejection is respectfully traversed.

With regard to independent claim 1 of the present invention, the broker uses the selected information from the medium to conduct a transaction between an agency and the user without revealing the selected information on the card to the agency. In particular, claim 1 of the present invention recites "the broker using said selected information to conduct a transaction between said agency and said user without revealing said selected, transmitted information to said agency.

In contrast, Hohle discloses that partnering organizations have access to appropriate data regions within

the smart card. Hohle, col. 6, lines 8-11. As the partnering organizations have access to information on the card, the information is revealed to the partnering organization. Thus, Hohle fails to teach or suggest a broker not revealing selected, transmitted information to the agency. Further, Hohle fails to teach or suggest that a broker uses information to conduct a transaction between the agency and the user. Therefore, for at least these reasons, Applicants respectfully submit that the rejection to claim 1 should be withdrawn. As claims 2, 4-28, and 34-35 depend directly or indirectly from claim 1, they should be allowed for at least the same reasons as claim 1.

With regard to independent claim 29 of the present invention, the user decides whether to transmit the selected information to the broker or to the agency. In particular, claim 29 of the present invention recites "transmitting said personal information to a broker or to an agency to conduct said transaction, said user deciding whether to transmit said selected information to said broker or to said agency."

In contrast, Hohle discloses that partnering organizations have access to appropriate data regions within the smart card. Hohle, col. 6, lines 8-11. Hohle fails to teach or suggest that the user decides whether the information is transmitted to a broker or an agency. Use of access keys are disclosed in Hohle to keep information secret to those without an access key, however, Hohle fails to teach or suggest that the user decides who has access to what information, and in particular, Hohle fails to teach or suggest that the user decides, as between a broker and an agency, to whom the information is transmitted. Therefore, for at least these reasons, Applicants submit that the rejection to claim 29 should be withdrawn.

As claims 30-31 and 36-42 depend either directly or indirectly from claim 29, these claims should be allowed for at least the same reasons as claim 1.

Further, with regard to independent claim 43 of the present invention, the transmitted, selected information is used to conduct a transaction between an agency and a user without storing the information at a database or network. In particular, claim 50 of the present invention recites "using said transmitted, selected information to conduct a transaction between said agency and said user without storing said transmitted, selected information at a database or network."

In contrast, Hohle discloses that partnering organizations and the issuer each have a database and appropriate software and hardware for completing a transaction. Hohle, col. 6, lines 10-13. Hohle fails to teach or suggest that transmitted, selected information is not stored at a database of a partnering organization or issuer. Further, Hohle fails to teach or suggest that transmitted, selected information is not stored at the network 19. Therefore, for at least these reasons, Applicants submit that claim 43 should be allowed.

Conclusion

For at least the reasons submitted above, Applicants submit that the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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